

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
IN CLERKS OFFICE.  
2012 AUG -3 P 4:21

UNITED STATES OF AMERICA

v.

|                             |   |                            |
|-----------------------------|---|----------------------------|
| 1. JOHN KOSTA,              | ) | Criminal No.: 12-10226-DJC |
| a/k/a COSTA MIHALAKAKIS,    | ) | DISTRICT OF MASS.          |
| 2. FIDENCIA SERRANO-ESQUER, | ) | DISTRICT COURT             |
| a/k/a "FITO,"               | ) | MASS.                      |
| 3. NESTOR ANTONIO VERDUZCO, | ) | Record Owner:              |
| a/k/a "TONY,"               | ) | John Kosta                 |
| 4. DENNIS NOVICKI,          | ) | Property:                  |
| 5. ALEXANDER NAPOLEON,      | ) | Parcel Number 004788377    |
| 6. DONALD McCORMICK, and    | ) | Spring Street              |
| 7. TAMARA KOSTA,            | ) | Petersham, Massachusetts   |
| Defendants.                 | ) | Worcester District         |
|                             | ) | Registry of Deeds          |
|                             | ) | Book 49088, Pages 263-266  |
|                             | ) |                            |

LIS PENDENS

TO ALL WHOM IT MAY CONCERN:

PLEASE TAKE NOTICE that, on August 2, 2012, an indictment was filed charging the defendants with violations of 21 U.S.C. §§ 841 and 846, and 18 U.S.C. §§ 2 and 1956. The drug forfeiture allegation of the indictment <sup>will give</sup> gave the defendants notice that, pursuant to 21 U.S.C. § 853, the United States sought the forfeiture, upon conviction of any of the offenses alleged in Counts One and Two of the indictment, of any property constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as a result of such offenses, and any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offenses. The money laundering forfeiture allegation of the indictment also <sup>will give</sup> gave the defendants notice that, pursuant to 18 U.S.C. § 928(a)(1), the United States sought the

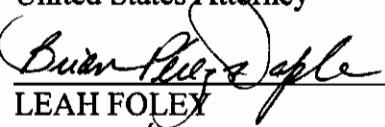
WJC

forfeiture, upon conviction of the offense alleged in Count Three of the indictment, of any property, real or personal, involved in the offense, and any property traceable to such property.

As set forth in the Indictment, the United States alleges that the following real property is forfeitable to the United States as substitute property pursuant to 21 U.S.C § 853 and 18 U.S.C. § 928(a)(1), both incorporating 21 U.S.C. § 853(p):

the real property located at parcel number 004788377, at Spring Street in Petersham, Massachusetts, including all buildings, improvements, and appurtenances thereon, more particularly described in a deed recorded at Book 49088, Pages 263-266, at the Worcester District Registry of Deeds.

CARMEN M. ORTIZ  
United States Attorney

By: 

LEAH FOLEY  
BRIAN PÉREZ-DAPLE  
Assistant United States Attorneys  
U.S. Attorney's Office  
1 Courthouse Way, Suite 9200  
Boston, MA 02210  
(617) 748-3100

Dated: August 3, 2012

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

OATH

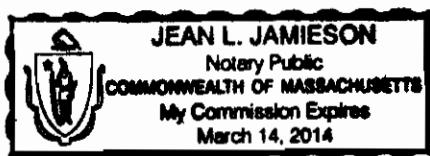
The undersigned Brian Pérez-Daple, Assistant United States Attorney, on his oath declares that the proceeding referred to above affects the title to the land and building as described above.

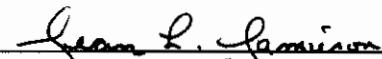
  
\_\_\_\_\_  
Brian Pérez-Daple  
Assistant United States Attorney

Date: August 3, 2012

Then personally appeared the above-named Brian Pérez-Daple, Assistant United States Attorney, and acknowledged the foregoing to be true to the best of his knowledge, information and belief, and to be his free act and deed on behalf of the United States of America.

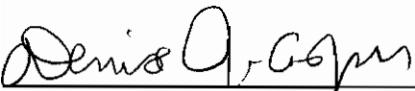
Subscribed to and sworn before this 3<sup>rd</sup> day of August, 2012.



  
\_\_\_\_\_  
NOTARY PUBLIC  
My Commission expires: 3/14/2014

The above-captioned action constitutes a claim of right to title to real property or the use and occupation thereof or the building thereon. Further, there is a clear danger that the titled owner of the property, if notified in advance of the endorsement of this memorandum, will convey, encumber, damage or destroy the property or the improvements thereon.

SO ORDERED AND ENDORSED:

  
\_\_\_\_\_  
United States District Judge

Date: August 6, 2012